

REMARKS

By this amendment, claims 20-44 are pending, in which claim 39 is currently amended. Claims 1-19 were previously canceled. No new matter is introduced.

The Office Action mailed November 12, 2004 rejected claims 20-28 and 41-43 for obviousness type double-patenting over claims 1-8 and 21-23 of the commonly-assigned US 6,683,870 in view of *Murphy* (US 6,754,224); claims 29-40 and 44 for obviousness type double-patenting over claims 9-20 and 24 of US 6,683,870; claim 39 under 35 U.S.C. § 112, ¶ 2, for indefiniteness, and claims 20-44 under 35 U.S.C. § 102 as anticipated by *Murphy*.

Claim 39 has been amended in response to the indefiniteness rejection.

A Terminal Disclaimer is being filed herewith to obviate the obviousness type double-patenting rejections over US 6,683,870.


The rejection of claims 20-44 under 35 U.S.C. § 102 over *Murphy* is respectfully traversed because *Murphy* is not prior art over the present application. The present application is a continuation of US Application Serial No. 09/104,570, now US Patent 6,683,870, which was filed on June 25, 1998. Although *Murphy* was filed on June 24, 1998, *Murphy* was not filed prior to the invention by the present inventor disclosed in US Application Serial No. 09/104,570, as required by 35 U.S.C. § 102(e). Specifically, the attached Declaration under Rule 1.132 by Angela N. Trafton provides evidence that the present inventor, Michael Archer, had conceived of the invention well prior to June 24, 1998 and diligently reduced it to practice by the June 25, 1998 filing date.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date



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